

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OLIGONUCLEOTIDES AND METHODS FOR DETECTING HEPATITIS B VIRAL NUCLEIC ACIDS

(Attorney Docket No. 034827-0701)

the specification of which (check one)

       is attached hereto.

  X   was filed on December 4, 2001 as United States Application Number or PCT International Application Number 10/007,073 and was amended on        (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

---

WESLEY B. AMES	Reg. No. 40,893
LEI FANG	Reg. No. 44,676
KEVIN J. FORRESTAL	Reg. No. 45,861
ANDREW EDWARD GRANSTON	Reg. No. 38,473
LEE HSU	Reg. No. 39,716
BERNARD L. KLEINKE	Reg. No. 22,123
STEPHEN E. REITER	Reg. No. 31,192
RICHARD M. SAN PIETRO	Reg. No. 45,071
STACY L. TAYLOR	Reg. No. 34,842
RICHARD J. WARBURG	Reg. No. 32,327
ARTHUR A. WELLMAN JR.	Reg. No. 47,174
MICHAEL A. WHITTAKER	Reg. No. 46,230
BARRY S. WILSON	Reg. No. 39,431

---

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard J. Warburg, Esq.  
FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278

Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

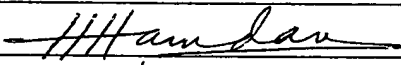
I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Vijaya Pasupuleti
Residence	Irvine, CA
Citizenship	US
Post Office Address	3 West Trenton Irvine, CA 92672
Inventor's signature	<i>Vijaya Pasupuleti</i>
Date	<i>11/9/02</i>

Name of second inventor	Hasnah Hamdan
Residence	Riverside, CA
Citizenship	Malaysian (Perm. US Resident)
Post Office Address	5632 El Palomino Riverside, CA 92509
Inventor's signature	
Date	

Name of third inventor	Michael Lewinski
Residence	San Clemente, CA
Citizenship	US
Post Office Address	611 Via Umbroso San Clemente, CA 92672
Inventor's signature	
Date	

Name of first inventor	Vijaya Pasupuleti
Residence	Irvine, CA
Citizenship	US
Post Office Address	3 West Trenton Irvine, CA 92672
Inventor's signature	
Date	

Name of second inventor	Hasnah Hamdan
Residence	Riverside, CA
Citizenship	Malaysian (Perm. US Resident)
Post Office Address	5632 El Palomino Riverside, CA 92509
Inventor's signature	
Date	01/10/02

Name of third inventor	Michael Lewinski
Residence	San Clemente, CA
Citizenship	US
Post Office Address	611 Via Umbroso San Clemente, CA 92672
Inventor's signature	
Date	

Name of first inventor	Vijaya Pasupuleti
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Date	

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Citizenship	Malaysian (Perm. US Resident)
Post Office Address	5632 El Palomino Riverside, CA 92509
Inventor's signature	
Date	

Name of third inventor	Michael Lewinski
Residence	San Clemente, CA
Citizenship	US
Post Office Address	611 Via Umbroso San Clemente, CA 92672
Inventor's signature	<i>Michael A. Lewinski</i>
Date	1/19/02



RECEIVED

JUN 18 2002

JUNE 11, 2002

PTAS

I.P. DEPT. Chief Information Officer  
FOLEY & LARDNER Washington, DC 20231  
www.uspto.gov

FOLEY & LARDNER  
MICHAEL A. WHITTAKER  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278



\*102057835A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/08/2002

REEL/FRAME: 012783/0779  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PASUPULETI, VIJAYA

DOC DATE: 01/07/2002

ASSIGNOR:

HAMDAN, HASNAH

DOC DATE: 01/10/2002

ASSIGNOR:

LEWINSKI, MICHAEL

DOC DATE: 01/19/2002

ASSIGNEE:

QUEST DIAGNOSTICS INVESTMENTS  
INCORPORATED  
300 DELAWARE AVENUE  
WILMINGTON, DELAWARE 19899

SERIAL NUMBER: 10007073  
PATENT NUMBER:

FILING DATE: 12/04/2001  
ISSUE DATE:

DOCKETED

JUN 18 2002  
034827-0701

012783/0779 PAGE 2

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



04-17-2002

FORM PTO-1595 (modified)

(Rev. 6-93)

RECC



HEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

102057835

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

## 1. Name of conveying party(ies):

Vijaya Pasupuleti  
Hasnah Hamdan  
Michael Lewinski

4.8102

## 2. Name and address of receiving party(ies):

Quest Diagnostics Investments  
Incorporated  
300 Delaware Avenue  
Wilmington, DE 19899

Additional conveying party(ies) NO

## 3. Nature of conveyance:

ASSIGNMENT

Execution Date:

January 7, 10, and 19, 2002

Additional name(s) &amp; address(es) attached? NO

OFFICE OF PUBLIC RECORDS  
2002 APR -8 PM 1:09  
FINANCE SECTION

## 4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

10/007,073

B. Patent Number(s):

Additional numbers attached? NO

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Michael A. Whittaker  
FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278

## 6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 50-0872

DO NOT USE THIS SPACE

## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.*

Michael A. Whittaker  
Registration No. 46,230

March 27, 2002

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5

04/17/2002 AAHMED1 00000016 10007073

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023.209598.1

ASSIGNMENT AND AGREEMENT

*WHEREAS*, Vijaya Pasupuleti of 3 West Trenton, Irvine, CA 92672; Hasnah Hamdan of 5632 El Palomino, Riverside, CA 92509 and Michael Lewinski of 611 Via Umbroso, San Clemente, CA 92672; (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **OLIGONUCLEOTIDES AND METHODS FOR DETECTING HEPATITIS B VIRAL NUCLEIC ACIDS** (Atty. Dkt. No. 034827-0701) for which an application for United States Letters Patent was filed on December 4, 2001 as Application No. 10/007,073; and

*WHEREAS*, Quest Diagnostics Investments Incorporated, a corporation duly organized and existing under the laws of the State of Delaware, and having its principal place of business at 300 Delaware Avenue, Wilmington, DE 19899 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

*NOW THEREFORE*, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

*ASSIGNOR HEREBY AUTHORIZES AND REQUESTS* the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

*ASSIGNOR HEREBY AGREES* (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful

papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

*ASSIGNOR HEREBY REPRESENTS AND WARRANTS* that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

*ASSIGNOR HEREBY GRANTS* to the law firm of Foley & Lardner the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

*ASSIGNOR UNDERSTANDS AND AGREES* that the attorneys and agents of the law firm of Foley & Lardner do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 7 day of JANUARY, 2002.

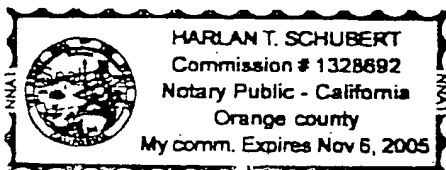
Vijaya Pasupuleti  
VIJAYA PASUPULETI

State of CALIFORNIA )  
County of ORANGE ) ss.

On this 7 day of JANUARY, 2002, before me, a notary public in and for said county, appeared VIJAYA PASUPULETI, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and ~~he~~/she acknowledged that ~~he~~/she signed, sealed, and delivered the said instrument as ~~his~~/her free and voluntary act for the uses and purposes therein set forth.

Harlan T. Schubert  
Notary Public

My Commission Expires: November 6, 2005



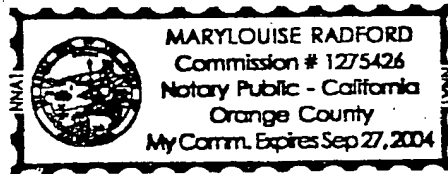
Executed this 10<sup>th</sup> day of January, 2002.

H H H am dan  
HASNAH HAMDAN

State of California )  
 ) ss.  
County of Orange )

On this 10<sup>th</sup> day of January, 2002, before me, a notary public in and for said county, appeared HASNAH HAMDAN, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

proved to me on the  
basis of satisfactory  
evidence (Seal)



Marylouise Radford  
Notary Public

My Commission Expires: Sept 27 2004

Executed this 10<sup>th</sup> day of January, 2002.

\_\_\_\_\_  
MICHAEL LEWINSKI

State of \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public in and for said county, appeared MICHAEL LEWINSKI, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

(Seal)

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

HASNAH HAMDAN

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, a notary public in and for said county, appeared HASNAH HAMDAN, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Notary Public

My Commission Expires: \_\_\_\_\_

(Seal)

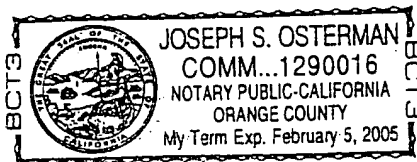
Executed this 19 day of JANUARY, 2002

State of CALIF )  
County of ORANGE ) ss.

Michael Lewinski  
MICHAEL LEWINSKI

On this 19 day of JANUARY, 2002, before me, a notary public in and for said county, appeared MICHAEL LEWINSKI, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

(Seal)



Joseph F. Osterman  
Notary Public  
My Commission Expires: 2-05-05